

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW LANCASTER, JEFFERY MILLS,  
DEXTER WILLIAMS, WILLIAM DENNIS,  
STEVE LIVADITIS, JIMMY VAN PELT,  
H. LEE HEISHMAN III AND JOHNATON  
GEORGE,

Plaintiffs,

v.

JAMES E. TILTON, Acting Secretary,  
California Department of Corrections and  
Rehabilitation, and ROBERT L. AYERS, JR.,  
Acting Warden, San Quentin State Prison,

Defendants.

No. C 79-01630 WHA

**REQUEST FOR RESPONSE RE  
COMMUNICATION BETWEEN  
COUNSEL AND PLAINTIFFS**

In plaintiffs' opposition, filed on November 26, 2007, plaintiffs' counsel states, "Plaintiffs' counsel's office is located in the village of San Quentin, a part of Marin County that is immediately adjacent to but outside of (not on the grounds of) the prison (which technically is located in Tamal, California). Plaintiffs' counsel's office is located in San Rafael, approximately one mile from the prison. Contact with the class representatives is possible only via the U.S. Mail; a scheduled confidential attorney-client visit (which must be scheduled in advance through San Quentin personnel and which is subject to space availability in the visiting room); a collect telephone call which must be initiated by a condemned prisoner (who have only limited access to a phone) and which is not confidential (the calls are recorded by the prison); and, in an emergency, a telephone call arranged in advance with San Quentin officials in which

1 a particular prisoner is permitted to place a collect call to a lawyer” (Doc. 1301 at 2 n.1).  
2 The Court requests a declaration from defense counsel as to how difficult or easy it is for  
3 plaintiffs’ counsel to arrange interview visits with their clients and for them to learn about any  
4 alleged constitutional violations. Please keep the declaration brief. The declaration is due by  
5 **MONDAY, DECEMBER 10, 2007.**

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7 **IT IS SO ORDERED.**

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9 Dated: December 5, 2007.

  
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10 WILLIAM ALSUP  
11 UNITED STATES DISTRICT JUDGE  
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